

FORM NLRB-502

UNITED STATES GOVERNMENT
NATIONAL LABOR RELATIONS BOARD
PETITION

DO NOT WRITE IN THIS SPACE

Case No.

Date Filed

19-RC-139631

10-27-2014

INSTRUCTIONS: Submit an original and 4 copies of this Petition to the NLRB Regional Office in the Region in which the employer concerned is located. If more space is required for any one item, attach additional sheets, numbering item accordingly.

The Petition alleges that the following circumstances exist and requests that the National Labor Relations Board proceed under its proper authority pursuant to Section 9 of the National Labor Relations Act.

1. **PURPOSE OF THIS PETITION** (If box RC, RM, or RD is checked and a charge under Section 8(b)(7) of the Act has been filed involving the employer named herein, the statement following the description of the type of petition shall not be deemed made.) (Check One)

☒ **RC-CERTIFICATION OF REPRESENTATIVE** - A substantial number of employees wish to be represented for purposes of collective bargaining by Petitioner and Petitioner desires to be certified as representative of the employees.

☐ **RM-REPRESENTATION (EMPLOYER PETITION)** - One or more individuals or labor organizations have presented a claim to Petitioner to be recognized as the representative of employees of Petitioner.

☐ **RD-DECERTIFICATION** - A substantial number of employees assert that the certified or currently recognized bargaining representative is no longer their representative.

☐ **UD-WITHDRAWAL OF UNION SHOP AUTHORITY** - Thirty percent (30%) or more of employees in a bargaining unit covered by an agreement between their employer and a labor organization desire that such authority be rescinded.

☐ **UC-UNIT CLARIFICATION** - A labor organization is currently recognized by Employer, but Petitioner seeks clarification of placement of certain employees: (Check one) ☐ In unit not previously certified. ☐ In unit previously certified in Case No. _____

☐ **AC-AMENDMENT OF CERTIFICATION** - Petitioner seeks amendment of certification issued in Case No. _____ Attach statement describing the specific amendment sought.

2. Name of Employer

Chugach Federal Solutions, Inc.

Employer Representative to contact

Fran Love

Telephone Number

(907) 563-8866

Project Manager

3. Address(es) of Establishment(s) involved (Street and number, city, state, ZIP code)

3800 Centerpoint Drive, #700, Anchorage, AK 99503

4a. Type of Establishment (Factory, mine, wholesaler, etc.)

Service provider for Military

4b. Identify principal product or service

Military Installation Operations

5. Unit Involved (In UC petition, describe present bargaining unit and attach description of proposed clarification.)

Included: All employees in the Airfield Department.

Excluded: All other employees, guards and supervisors as defined in the Act.

6a. No. of Employees in Unit:

Present: Approx. 3

Proposed (By UC/AC) N/A

6b. Is this petition supported by 30% or more of the employees in the unit? Yes (Not applicable in RM, UC and AC) -

(If you have checked box RC in 1 above, check and complete EITHER item 7a or 7b, whichever is applicable)

7a. ☐ Request for recognition as Bargaining Representative was made on (Date), and Employer declined recognition on or about (Date). (If no reply received, so state).7b. ☐ Petitioner is currently recognized as Bargaining Representative and desires certification under the Act.

8. Name of recognized or Certified Bargaining Agent (if none, so state)

N/A

Affiliation

N/A

Address and Telephone Number

Date of Recognition or Certification

N/A

9. Expiration Date of Current Contract, if any (Month, Day, Year) N/A

10. If you have checked box UD in 1 above, show here the date of execution of agreement granting union shop (Month, Day, and Year)

11a. Is there now a strike or picketing at the Employer's establishment(s) involved? No

11b. If so, approximately how many employees are participating?

11c. The Employer has been picketed by or on behalf of (Insert Name). Since (Month, Day, Year)

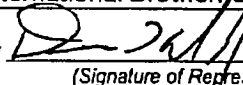
12. Organizations or Individuals other than Petitioner (and other than those named in items 8 and 11c), which have claimed recognition as representatives and other organizations and individuals known to have a representative interest in any employees in unit described in item 5 above. (If none, so state)

Name	Affiliation	Address	Date of Claim (Required only if Petition is filed by Employer)

I declare that I have read the above petition and that the statements are true to the best of my knowledge and belief.

Name of Petitioner and Affiliation, if any

International Brotherhood of Electrical Workers, Local 1547, AFL-CIO

By  (Dennis Knebel)
(Signature of Representative or person filing petition)

Title

Organizer, IBEW Local 1547

Address: 3333 Denali Street, Suite 200,
Anchorage, AK 99503

Telephone

(907) 272-6571

Date:

10-24-2014

Fax: (907) 777-7255

WILLFUL FALSE STATEMENTS ON THIS PETITION CAN BE PUNISHED BY FINE AND IMPRISONMENT (U.S. CODE, TITLE 18, SECTION 1001)

UNITED STATES OF AMERICA
NATIONAL LABOR RELATIONS BOARD

CHUGACH FEDERAL SOLUTIONS, INC.

Employer

and

INTERNATIONAL BROTHERHOOD OF ELECTRICAL
WORKERS, LOCAL UNION 1547, AFL-CIO

Petitioner

Date Filed

Case No 19-RC-139631

10/27/14

Date Issued DECEMBER 15, 2014

Type of Election
(Check one:)

- ☒ Stipulation
☐ Board Direction
☐ Consent Agreement
☐ RD Direction
Incumbent Union (Code)

(If applicable check
either or both:)

- ☐ 8(b) (7)
☒ Mail Ballot

TALLY OF BALLOTS

The undersigned agent of the Regional Director certifies that the results of the tabulation of ballots cast in the election held in the above case, and concluded on the date indicated above, were as follows:

1. Approximate number of eligible voters 3
2. Number of Void ballots 0
3. Number of Votes cast for Petitioner 3
4. Number of Votes cast for
5. Number of Votes cast for
6. Number of Votes cast against participating labor organization(s) 0
7. Number of Valid votes counted (sum of 3, 4, 5, and 6) 3
8. Number of Challenged ballots 0
9. Number of Valid votes counted plus challenged ballots (sum of 7 and 8)
10. Challenges are (not) sufficient in number to affect the results of the election
11. A majority of the valid votes counted plus challenged ballots (Item 9) has ~~not~~ been cast for

INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS, LOCAL UNION 1547, AFL-CIO

For the Regional Director
Region 19

The undersigned acted as authorized observers in the counting and tabulating of ballots indicated above. We hereby certify that the counting and tabulating were fairly and accurately done, that the secrecy of the ballots was maintained, and that the results were as indicated above. We also acknowledge service of this tally.

For EMPLOYER

Not present

For

For PETITIONER

Dennis Skapke Jr

For

**UNITED STATES OF AMERICA
BEFORE THE NATIONAL LABOR RELATIONS BOARD
REGION 19**

CHUGACH FEDERAL SOLUTIONS, INC.

Employer

and

**INTERNATIONAL BROTHERHOOD OF
ELECTRICAL WORKERS, LOCAL UNION 1547,
AFL-CIO**

Case 19-RC-139631

Petitioner

TYPE OF ELECTION: STIPULATED

CERTIFICATION OF REPRESENTATIVE

An election has been conducted under the Board's Rules and Regulations. The Tally of Ballots shows that a collective-bargaining representative has been selected. No timely objections have been filed.

As authorized by the National Labor Relations Board, it is certified that a majority of the valid ballots have been cast for

**INTERNATIONAL BROTHERHOOD OF ELECTRICAL WORKERS,
LOCAL UNION 1547, AFL-CIO**

and that it is the exclusive collective-bargaining representative of the employees in the following appropriate unit.

Unit: All full-time and regular part-time Pest Controllers, Aircraft Servicers and AGE Mechanics employed by the Employer at Eareckson Air Station on Shemya Island, Alaska; excluding all other employees, office clerical employees, and guards and supervisors as defined in the Act.



December 23, 2014

RONALD K. HOOKS
Regional Director, Region 19
National Labor Relations Board

COPIES SENT TO THE FOLLOWING PARTIES 12/23/14:

WILLIAM F. MEDE, ATTORNEY
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ANCHORAGE, AK 99503-3505

FRAN LOVE, PROJECT MANAGER
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JUSTIN ROBERTS, GENERAL COUNSEL
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3333 DENALI ST, STE 200
ANCHORAGE, AK 99503-4038

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IBEW LOCAL 1547
3333 DENALI ST, STE 200
ANCHORAGE, AK 99503-4038

NOTICE OF BARGAINING OBLIGATION

In the recent representation election, a labor organization received a majority of the valid votes cast. Except in unusual circumstances, unless the results of the election are subsequently set aside in a post-election proceeding, the employer's legal obligation to refrain from unilaterally changing bargaining unit employees' terms and conditions of employment begins on the date of the election.

The employer is not precluded from changing bargaining unit employees' terms and conditions during the pendency of post-election proceedings, **as long as** the employer (a) gives sufficient notice to the labor organization concerning the proposed change(s); (b) negotiates in good faith with the labor organization, upon request; and (c) good faith bargaining between the employer and the labor organization leads to agreement or overall lawful impasse.

This is so even if the employer, or some other party, files objections to the election pursuant to Section 102.69 of the Rules and Regulations of the National Labor Relations Board (the Board). If the objections are later overruled and the labor organization is certified as the employees' collective-bargaining representative, the employer's obligation to refrain from making unilateral changes to bargaining unit employees' terms and conditions of employment begins on the date of the election, not on the date of the subsequent decision by the Board or court. Specifically, the Board has held that, absent exceptional circumstances,¹ an employer acts at its peril in making changes in wages, hours, or other terms and conditions of employment during the period while objections are pending and the final determination about certification of the labor organization has not yet been made.

It is important that all parties be aware of the potential liabilities if the employer unilaterally alters bargaining unit employees' terms and conditions of employment during the pendency of post-election proceedings. Thus, typically, if an employer makes post-election changes in employees' wages, hours, or other terms and conditions of employment without notice to or consultation with the labor organization that is ultimately certified as the employees' collective-bargaining representative, it violates Section 8(a)(1) and (5) of the National Labor Relations Act since such changes have the effect of undermining the labor organization's status as the statutory representative of the employees. This is so even if the changes were motivated by sound business considerations and not for the purpose of undermining the labor organization. As a remedy, the employer could be required to: 1) restore the status quo ante; 2) bargain, upon request, with the labor organization with respect to these changes; and 3) compensate employees, with interest, for monetary losses resulting from the unilateral implementation of these changes, until the employer bargains in good faith with the labor organization, upon request, or bargains to overall lawful impasse.

¹ Exceptions may include the presence of a longstanding past practice, discrete event, or exigent economic circumstance requiring an immediate response.